IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

THOMAS W. THOMPSON,) Case No. 5:09cv1236
Plaintiff,)
-VS-	ORDER
MICHAEL J. ASTRUE, Commissioner of Social Security,	JUDGE CHRISTOPHER A. BOYKO
Defendant.)

On May 29, 2009, Plaintiff filed a complaint pursuant to Title 42 U.S.C. Section 405(g) (Dkt.#1). This matter was referred to Magistrate Judge David S. Perelman pursuant to Local Rule 72.2. On March 24, 2010, the Magistrate Judge recommended that the defendant's final determination be reversed and an order of remand pursuant to the fourth sentence of 405 (g) be entered, with a specific directive that at the further evidentiary hearing a mental health professional be called to testify.

On April 7, 2010, defendant, Commissioner of the Social Security

Administration, filed a Response to Magistrate Judge Perelman's Report and

Recommended Decision stating that they will not be objecting to the recommended decision.(Dkt#13). Therefore, Magistrate Judge Perelman's Report and

Recommendation is **ADOPTED** and defendant's final determination is

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reversed and an order of remand pursuant to the fourth sentence of §405(g) is entered, with a specific directive that at the further evidentiary hearing a mental health professional be called to testify.

IT IS SO ORDERED. Dated:4/14/2010

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE